

Mayor Mary Cooper called the meeting to order at 7:00 p.m. Also present were Councilmembers Kay Carlquist, Robert Jurca, Guy Pfalzgraff and Bill Seuell, along with Acting City Manager Glen Black and City Attorney Mike Schottelkotte. A meeting notice was posted in the south window at City Hall at least twenty-four hours prior to the meeting.

Pledge of Allegiance

The Mayor led everyone present in the Pledge of Allegiance.

Changes to the Agenda

There were none.

Minutes

Councilmember Carlquist reported a change in the minutes of November 13, 2009.

It was moved by Councilmember Carlquist and seconded by Councilmember Jurca to approve the minutes of November 13, 2009 special meeting as amended and November 17, 2009 regular meeting as submitted by the Clerk. All in favor, motion carried.

Citizen Comments

There were none.

Appointment of City Attorney

Mayor Cooper reported that interviews for City Attorney were conducted previously.

It was moved by Councilmember Seuell and seconded by Carlquist to appoint Michael Schottelkotte as City Attorney. All in favor, motion carried.

Truck Route (Confluence Drive) Update

Assistant Utilities Director Steve Glammeyer updated Council on the Confluence Drive project. He reported that the City is one of seven entities in the running for a grant from the Department of Local Affairs. In this grant there is \$17 million in the fund. He stated that DOLA will be meeting with each community and tour the projects. The final application is due December 15th. He stated that some of the committee members, the executive director and the regional manager will be here either on January 11th or 12th. At this time they have not stated which day or what time they will be arriving. They are coming out to tour the City's project, ask some questions and possibly meet with Council if Council so desires to discuss the project and the City's readiness to go to construction if funding is received. Mr. Glammeyer explained that once the tour is completed the next step in the process is to give a 20 minute presentation in Denver on February 1st in front of DOLA's executive board. They will hear presentations from all seven communities on that day. DOLA will then take all of that information under advisement and make their decision by February 8th and announce those decisions.

Mr. Glammeyer stated that it is his understanding that DOLA's anticipation is to give the part of the grant to a few of the projects. The City is applying for \$14.5 million; with the bond that passed we can match that dollar for dollar. In talking with Jack Kirkland who is the City's regional representative he feels that the City has a very good application and a very good chance of getting some funds.

Mr. Glammeyer prepared a spreadsheet that he presented Council that is a projection of the citywide capital improvement fund. He explained that he started the spreadsheet back in 2004 and how the spreadsheet was developed and the information that it contains.

Councilmember Pfalzgraff questioned once the presentations are given in Denver how long before the City will have an answer.

Mr. Glammeyer stated they will announce their decision on February 8th. They have seen these projects in a pre-application form which at that time they narrowed the applications down to seven from ten. He feels that the City is in a very good position because DOLA did help fund the first two steps in this project.

Regular Meeting, Delta City Council, December 1, 2009 (Cont.)

Truck Route (Confluence Drive) Update (cont.)

Mayor Cooper explained that they are also giving preference to communities that have been impacted by the mineral, oil, gas and coal industry.

Councilmember Carlquist stated that she may have some questions after reviewing the spreadsheet. She suggested that Council and staff have a work session to go over everything to get ready for the visit.

Mr. Glammeyer agreed that a work session would be helpful.

Ordinance #9, 2009; Second and Final Reading 2010 Appropriations

Ordinance #9, 2009

AN ORDINANCE APPROPRIATING SUMS OF MONEY TO THE
VARIOUS FUNDS AND SPENDING AGENCIES IN THE
AMOUNTS AND FOR THE PURPOSES SET FORTH BELOW
FOR THE CITY OF DELTA, COLORADO, FOR THE 2010
BUDGET YEAR

was introduced as Council Bill #10, 2009 and read by the Clerk.

It was moved by Councilmember Pfalzgraff and seconded by Councilmember Carlquist to adopt Council Bill #10, 2009 on second and final reading. Roll call vote: Councilmembers Jurca aye, Pfalzgraff aye, Seuell aye, Carlquist aye and Cooper aye. Motion carried. Council Bill #10, 2009 was adopted on second and final reading as Ordinance #9, 2009.

Retail Liquor Store License Renewal: Uptown Wines

The Clerk explained that Uptown Wines has submitted their retail liquor store license. She stated that the application is complete and the renewal fees have been paid. This City's liquor occupation tax will be collected upon receipt of the State license. She also stated that the police department has recommended renewal.

It was moved by Councilmember Jurca and seconded by Councilmember Seuell to approve the retail liquor store license renewal for Uptown Wines. All in favor, motion carried.

Hotel/Restaurant Liquor License Renewals: Best Western Sundance and Ocean Pearl

The Clerk reported that Best Western Sundance has submitted their renewal application. She explained that although the current license did expire on November 20, 2009 they are able to continue to sell alcohol due to the fact they submitted the renewal within the time frame allowed by the State. The application is complete and all fees have been paid. The police department has recommended renewal.

She also reported that Ocean Pearl submitted their renewal application. She stated that all fees have been paid and the application is complete. The police department has recommended renewal.

It was moved by Councilmember Carlquist and seconded by Councilmember Pfalzgraff to approve the Hotel/Restaurant Liquor License Renewals for Best Western Sundance and Ocean Pearl. All in favor, motion carried.

City Attorney Comments

City Attorney Michael Schottelkotte thanked Council for the appointment as City Attorney. He also briefly updated Council on the upcoming trial in the Simmons case.

City Manager Comments

Acting City Manager Glen Black stated that Fay Mathews has some information regarding the transmission project.

Regular Meeting, Delta City Council, December 1, 2009 (Cont.)

City Manager Comments (cont.)

Utilities Director Fay Mathews reported that the land right of way permit has been received from the BLM. The City is still dealing with four owners and once that is complete the project will begin around February or March 2010.

Mr. Mathews also reported that the rebuilding of the spillway at the Big Battlement Dam is complete and under budget. They will be able to fill all reservoirs without any restrictions.

Mr. Black stated that he received a letter from Dan McClendon from DMEA regarding the service area agreement that the City's has with them.

Mr. Mathews stated that for several years the City has had a service area agreement with DMEA that defined the areas that the City serves. He explained that Mr. McClendon stated in his letter that the agreement is no longer needed.

There was discussion regarding the agreement.

Mr. Black reminded Council of a work session regarding the horse country arena on December 15th at 6:00pm and also of the parade of lights this Friday at 6:00pm

Mr. Black stated that Jim Renfrow and Kevin Bray have requested an executive session with Council on January 19th at 6:00pm.

There was consensus amongst Council to have an executive session at that date and time.

Mr. Black questioned Council when they would like to have the work session regarding Confluence Drive.

It was decided to have the work session on January 5th at 6:00pm.

Councilmember Comments

Councilmember Seuell reported attending the Region 10 meeting.

Mayor Cooper commented on Pearl Harbor Day. She also stated that she will be out of town on vacation next week.

The meeting was adjourned at 7:32 p.m.

Jolene E. Nelson, City Clerk